

## DECLARATION FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

We believe we are an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### ERYTHROCYTIC CELLS AND METHOD FOR PRESERVING CELLS

the specification of which (check one)

- (X) is attached hereto  
( ) was filed by an authorized person on my behalf on \_\_\_\_\_  
as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ n/a  
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and so identified, and we have also identified below any foreign application for patent or inventor's certificate on this invention filed by us or our legal representatives or assigns and having a filing date before that of the application on which priority is claimed

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed (Yes or No)</u>
NONE			

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.

09/927,760

09/828,627

09/501,773

Filing Date

August 9, 2001

April 5, 2001

February 10, 2000

Status

Pending

Pending

Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


We hereby appoint the following attorneys and patent agent, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to COUDERT BROTHERS LLP, 600 Beach Street, 3<sup>rd</sup> Floor, San Francisco, CA 94109, Telephone No (415) 409-2900:

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Full name of first joint inventor.

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Inventor's signature:



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Citizenship:

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Full name of sixth joint inventor

Ann E. Oliver

Inventor's signature:

Ann E. Oliver

Date:

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Applicant:  
 Serial No.  
 Filed:  
 Title: **Erythrocytic Cells and Method for Preserving Cells**

Group:  
 Examiner:  
 Docket No. **800189-0012 (6829-60508)**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27(d) – NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
 ADDRESS OF ORGANIZATION: Office of Technology Transfer  
 Office of the President  
 University of California  
 1111 Franklin Street, 12<sup>th</sup> Floor  
 Oakland, California 94607-5200

**TYPE OF ORGANIZATION**

- ☒ University or other institution of higher learning  
☐ tax exempt under internal revenue service code [26 usc 501(a) and 601(c)(3)]

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code, with regard to the invention described in

- ☐ the specification filed herewith, with the title listed above.  
☒ the application identified above.  
☐ the patent identified above.

I hereby declare that rights under the contract or law have been conveyed to and remain with the nonprofit organization with regard to the invention identified above.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the Invention is listed below<sup>1</sup> and no rights to the invention are held by person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any other concern which would not qualify as a small business concern under 37 CFR 1.9(e).

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

<sup>1</sup> Separate verified statements are required from each named person, concern or organization having rights to the invention averring their status as small entities (37 CFR 1.27).

☐ Individual

☐ Small Business Concern

☒ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28)

I hereby declare that all statements made herein of my own knowledge are and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so are made punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing therein, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: J. Lawrence Fox

TITLE IN ORGANIZATION: Director, Technology Transfer Center

ADDRESS OF PERSON SIGNING: University of California, Davis  
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508 Second Street, Suite 202  
Davis, California 95616-4692

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_